

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DOCKETING STATEMENT--CIVIL/AGENCY CASES**

Directions: Counsel must make a **docketing statement (civil/agency) filed** entry in CM/ECF within 14 days of docketing of the appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form with any extended answers and (2) any transcript order form. Parties proceeding pro se are not required to file a docketing statement. Opposing counsel who finds a docketing statement inaccurate or incomplete may file any objections within 10 days of service of the docketing statement using the ECF event-**docketing statement objection/correction filed**.

Appeal No. & Caption	24-6654, John Trenton Pendarvis v. Alan M. Wilson, et al.
Originating No. & Caption	2:22-cv-03142-BHH, same
Originating Court/Agency	District of South Carolina

Jurisdiction (answer any that apply)		
Statute establishing jurisdiction in Court of Appeals	28 U.S.C. § 1291	
Time allowed for filing in Court of Appeals	30 days	
Date of entry of order or judgment appealed	June 7, 2024	
Date notice of appeal or petition for review filed	July 3, 2024	
If cross appeal, date first appeal filed	n/a	
Date of filing any post-judgment motion	n/a	
Date order entered disposing of any post-judgment motion	n/a	
Date of filing any motion to extend appeal period	n/a	
Time for filing appeal extended to	n/a	
Is appeal from final judgment or order?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If appeal is not from final judgment, why is order appealable?		

Settlement (The docketing statement is used by the circuit mediator in pre-briefing review and mediation conducted under Local Rule 33. Counsel may make a confidential request for mediation by calling the Office of the Circuit Mediator at 843-731-9099.)		
Is settlement being discussed?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Transcript (transcript order must be attached if transcript is needed and not yet on file)		
Is transcript needed for this appeal?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has transcript been filed in district court?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Is transcript order attached?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Case Handling Requirements (answer any that apply)		
Case number of any prior appeal in same case	n/a	
Case number of any pending appeal in same case	n/a	
Identification of any case pending in this Court or Supreme Court raising similar issue	n/a	
	If abeyance or consolidation is warranted, counsel must file an appropriate motion.	
Is expedited disposition necessary?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, motion to expedite must be filed.	
Is oral argument necessary?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does case involve question of first impression?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does appeal challenge constitutionality of federal or state statute in case to which federal or state government is not a party	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, notice re: challenge to constitutionality of law must be filed.	

Nature of Case (Nature of case and disposition below. Attach additional page if necessary.)
<p>This is a civil rights case arising out of the Appellees' September 19, 2019, illegal seizure and destruction of Appellant John Trenton Pendarvis's stand of legal hemp in Dorchester County, South Carolina. Generally, certain Appellees are the persons directly responsible for seizing and destroying Appellant's crops, and other Appellees authorized and/or facilitated these acts, or attempted to cover up the illegality of these acts.</p> <p>Appellant filed suit on September 16, 2022. On February 3, 2023, the Magistrate Judge ordered Appellant file a new, less detailed, complaint in response to several Appellees' motions. Appellant filed his Amended Complaint on February 24, 2023. On August 11, 2023, the Magistrate Judge ordered Appellant amend his complaint again in response to several Appellees' motions. Appellant filed his Second Amended Complaint on August 25, 2023. Appellees again filed motions to dismiss. On September 19, 2023, the Magistrate Judge recommended Appellant's Second Amended Complaint be dismissed. After considering objections, the District Court adopted this recommendation by order dated June 7, 2024. This appeal followed.</p>

Issues (Non-binding statement of issues on appeal. Attach additional page if necessary)

I. Whether the District Court erred in refusing to accept Appellant's Complaint and First Amended Complaint, both of which set forth the Appellees' misconduct in detail.

II. Whether the District Court erred in dismissing Appellant's Second Amended Complaint when the Appellees were undisputably on notice of the basis of the claims against them.

III. Whether the District Court erred in refusing to allow the Appellant to submit a Third Amended Complaint when said refusal had the effect of dismissing claims with prejudice.

Adverse Parties (List adverse parties to this appeal and their attorneys; provide party's address if the party is not represented by counsel. Attach additional page if necessary.)

Adverse Party: Please see Exhibit A

Attorney:
Address:

E-mail:

Phone:

Adverse Party:

Attorney:
Address:

E-mail:

Phone:

Adverse Parties (continued)

Adverse Party:

Attorney:
Address:

E-mail:

Phone:

Adverse Party:

Attorney:
Address:

E-mail:

Phone:

Appellant (Attach additional page if necessary.)

Name: John Trenton Pendarvis

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Name: John Trenton Pendarvis

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Appellant (continued)

Name: John Trenton Pendarvis

Attorney: Patrick James McLaughlin
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Phone: 843.669.5150

Name:

Attorney:
Address:

E-mail:

Phone:

Signature: /s/ Jason Scott Luck **Date:** 07/23/24**Counsel for:** Appellant**Certificate of Service** (required for parties served outside CM/ECF): I certify that this document was served on _____ by ☐ personal delivery; ☐ mail; ☐ third-party commercial carrier; or ☐ email (with written consent) on the following persons at the addresses or email addresses shown:

Signature:

Date: